

State of California
Business, Transportation and Housing Agency
Department of Transportation

HIGHWAY RIGHT OF WAY MATTERS
Resolutions of Necessity
Action Item

Prepared By:
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CTC Meeting: July 19-20, 2000

Agenda Item: 2.4b.

Original Signed By _____
W.J. EVANS, Deputy Director
Finance
July 1, 2000

RESOLUTIONS OF NECESSITY

For each of the proposed resolutions, the property owners are not contesting the following findings contained in Section 1245.230 of the Code of Civil Procedure:

1. The public interest and necessity require the project.
2. The project is planned to provide the greatest public good with the least private injury.
3. This property is required for the proposed project.
4. An offer to purchase the property in compliance with Government Code Section 7267.2 has been made to the owner of record.

The only remaining issues with the property owners are related to compensation.

The Department of Transportation recommends the California Transportation Commission adopt Resolutions of Necessity C-18124 through C-18128. Discussions have taken place with all the owners, each of whom has been offered the full amount of the Department's appraisal and, where applicable, advised of any relocation assistance benefits to which the owner may subsequently be entitled. Adoption of the resolutions will not interrupt our efforts to secure equitable settlement. In accordance with statutory requirements, each owner has been advised the Department is requesting the resolution at this time. Adoption will assist the Department in the continuation of the orderly sequence of events required to meet construction schedules.

C-18124 – Siamex Investment Corporation, N.V., a Netherlands Antilles Corporation

01-Men-1-KP 120.54/120.86 – Parcel 10760 – E.A. 383109 (conventional highway) Authorizes condemnation of land in fee for a State highway, located in an unincorporated area of Mendocino County at 36065 N. Highway 1.

C-18125 - Catellus Development Corporation

04-Ala-880-PM 46.8 - Parcel 56355-1A,1B,1C - E.A. 292359 (parkway) Authorizes condemnation of land in fee for a State highway, a temporary easement for highway construction purposes, located in the city of Oakland at Beach Street.

C-18126 – Central California Society for the Prevention of Cruelty to Animals and Fresno County Humane Society, Inc.

06-Fre-180-P.M. R55.3 – Parcel 84022 – E.A. 342329 (conventional highway) Authorizes condemnation of land in fee for a State highway, the right and easement to enter the remaining ownership to sever and shore certain improvements at the right of way line, located in the city of Fresno at 103 South Hughes.

C-18127 – Atlantic Richfield Company

07-Ven-101-K.P. 22.6 – Parcel 75803 – E.A. 103959 (freeway) Authorizes condemnation of land in fee for a State highway, located in the city of Camarillo at 2481 Ventura Boulevard.

C-18128– L & J Scheu Living Trust, et al.

08-SBd-30-R0.038 – Parcel 09661-1; 09661-01-01; 09661-01-02 – E.A. 443019 (freeway) Amends Resolution No. C-18024, adopted March 29-30, 2000, which authorized condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, land in fee which is a remnant and would have little market value, located in the city of Upland at the northwest corner of Benson Avenue and 18th Street. This Amendment amends language in the description.